

**Regular Meeting
Board of Zoning Appeals
January 7, 2009**

Chairman Jerry Uebelhor called the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Secretary Bob Wright took roll call as follows:

Chairman Jerry Uebelhor	-Present	Randy Mehringer	-Present
Brad Schnarr	-Present	Bob Cook	-Absent
Secretary Bob Wright	-Present	Bldg. Comm. Dave Seger	-Present
Daniel Beckman	-Present	Atty. Sandy Hemmerlein	-Present

PLEDGE OF ALLEGIANCE

Chairman Uebelhor led the Pledge of Allegiance.

NEW BOARD MEMBER

Chairman Uebelhor welcomed new member Daniel Beckman, appointed by Mayor Bill Schmitt. Mr. Beckman is replacing Jim Blessinger, who resigned the position as of December 31, 2008.

APPROVAL OF THE MINUTES

Minutes of the December 3, 2008, 2008 Regular Meeting were reviewed. Randy Mehringer made a motion to approve the minutes as mailed. Secretary Wright seconded it. Motion carried 5-0.

ELECTION OF OFFICERS FOR 2009

Randy Mehringer nominated Jerry Uebelhor as Chairman, Bob Wright as Vice Chairman and Brad Schnarr as Secretary for 2009. Bob Wright made a motion to close the nominations, seconded by Brad Schnarr. All members present were in favor of Jerry Uebelhor as Chairman, Bob Wright as Vice Chairman and Brad Schnarr as Secretary for 2009.

STATEMENT

Chairman Uebelhor read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

NEW BUSINESS

Petition of Ack, Inc., for a special exception to allow Bulk Fuel Storage.

Mike Ackerman was present to request a special exception to allow Bulk Fuel

Storage at his business located at 2060 S. Lube Way. Mr. Ackerman plans to move his bulk storage from the 2nd and Clay Street location to the new site. There are approximately 13 tanks, storing gasoline and diesel fuel.

There were no remonstrators present. After some discussion, Secretary Schnarr made a motion to close the public hearing. Vice Chairman Wright seconded it. Motion carried 5-0.

Randy Mehringer made a motion to allow Bulk Fuel Storage in an I-2 (Industrial) zone at 2060 S. Lube Way. Secretary Schnarr seconded it. Motion carried 5-0.

Petition of Ack, Inc., for a variance from Section 16.02.140 (Height Regulations).

Mr. Ackerman was present to request a variance to allow his Bulk Fuel Storage at 2060 S. Lube Way to exceed the 16-foot height regulation. A 20-foot height is needed to shelter the storage area from wastewater run-off and to allow customers protection from inclement weather.

With no remonstrators present, Vice Chairman Wright made a motion to close the public hearing. Secretary Schnarr seconded it. Motion carried 5-0.

Vice Chairman Wright made a motion to grant a variance from Section 16.02.140 (Height Regulations), not to exceed 20 feet. Randy Mehringer seconded it. Motion carried 5-0.

Petition of Cherryl A. Jedelee for a variance to allow a Post Mastectomy Boutique in a residential zone.

Cherryl Jedelee was present to request a variance to open a Post Mastectomy Boutique, named Magnolia's, at her residence located at 311 W. 36th Street.

Ms. Jedelee plans to live at the proposed location while operating the Boutique. Considering she also owns a Boutique in Mooresville, IN, her intent is to open the Boutique on Mondays and Tuesdays only, until she can hire someone to operate the Mooresville store. Once established, Ms. Jedelee would be open during regular business hours, between 8:00 am – 6:00 pm., or by appointment only.

Plans are being made to build a turn-around adjacent to the driveway for use as a parking area for customers and also to allow customers to exit without backing onto the street. There would be ample off-street parking.

Building Commissioner Dave Seger explained to Ms. Jedelee that she is allowed to have signage advertising her business but cannot exceed four square feet. Ms. Jedelee said she plans to have a small sign on the house and one somewhere on her lawn.

With no remonstrators present, Vice Chairman Wright made a motion to close the public hearing. Secretary Schnarr seconded it. Motion carried 5-0.

Secretary Schnarr made a motion to grant a variance to allow a Post Mastectomy Boutique, with the condition that the business be open between the hours of 8:00 am and 6:00 pm or by appointment only. Randy Mehringer seconded it. Motion carried 5-0.

With no further discussion, Vice Chairman Wright made a motion to adjourn the meeting. It was seconded by Randy Mehringer. The motion carried 5-0, and the meeting was adjourned at 7:08 p.m.

Jerry Uebelhor, Chairman

Brad Schnarr, Secretary

Kathy M. Pfister, Recording Secretary